

1 GINA GILBERT WINSPEAR, ESQ.
 2 Nevada Bar No. 005552
 2 gwinspear@dennettwinspear.com
 3 MEREDITH L. HOLMES, ESQ.
 3 Nevada Bar No. 011602
 4 mholmes@dennettwinspear.com
4 DENNETT WINSPEAR, LLP
 5 3301 N. Buffalo Drive, Suite 195
 5 Las Vegas, Nevada 89129
 6 Telephone: (702) 839-1100
 6 Facsimile: (702) 839-1113
7 Attorneys for Defendant
7 STATE FARM INSURANCE COMPANY

8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 DAVID LEWENZ, an individual;

11 Plaintiff,

12 vs.

13 STATE FARM INSURANCE COMPANY, a foreign
 14 corporation; DOES 1 through 10; ROE ENTITIES
 15 11 through 20; and ABC LIMITED LIABILITY
 COMPANIES 21 through 30,

16 Defendants.

Case No.: 2:20-cv-01994-KJD-EJY

ORDER ON STIPULATION AND
ORDER TO BIFURCATE CLAIMS AND
STAY CASE

17
 18 Plaintiff, David Lewenz, and Defendant State Farm Mutual Automobile Insurance
 Company, hereinafter collectively referred to as "the Parties" hereby stipulate to the following
 20 and move the Court accordingly:

21 1. The parties have entered into an Agreement to have the contractual benefits
 22 determined through private binding arbitration.

23 2. To effectuate the Agreement, the Parties agree and stipulate that this proceeding
 24 be stayed to allow the Parties to conclusively determine the value of Plaintiff's personal injury
 25 claims and, accordingly, the extent of his entitlement to contractual benefits.

26 3. It is the intent of the Parties that the Court retain its jurisdiction so as to be able to
 27 confirm the award as a judgment.

28 . . .

1 4. The Parties further agree that Plaintiff's extra-contractual claims and causes of
2 action be bifurcated and stayed pending the outcome of the binding arbitration. If the Parties are
3 then unable to resolve the extra-contractual claims following the outcome of the binding
4 arbitration, they will seek brief and limited discovery on the extra-contractual claims and claims-
5 handling only and proceed to settlement conference or trial as warranted.

IT IS SO MOVED AND STIPULATED.

DATED: December 23, 2021 DATED: December 23, 2021

8 NETTLES | MORRIS

DENNETT WINSPEAR, LLP

10 By /s/ Alexandra B. McLeod
11 BRIAN D. NETTLES, ESQ.
12 Nevada Bar No. 007462
13 CHRISTIAN M. MORRIS, ESQ.
14 Nevada Bar No. 011218
15 ALEXANDRA B. MCLEOD, ESQ.
Nevada Bar No. 008185
801 South Fourth Street
Las Vegas, Nevada 89101
Attorneys for Plaintiff,
David Lewenz

By /s/ Meredith L. Holmes
GINA GILBERT WINSPEAR, ESQ.
Nevada Bar No. 005552
MEREDITH L. HOLMES, ESQ.
Nevada Bar No. 011602
3301 N. Buffalo Drive, Suite 195
Las Vegas, Nevada 89129
Attorneys for Defendant,
State Farm Insurance Company

ORDER

IT IS SO ORDERED.

DATED: January 3, 2022



UNITED STATES DISTRICT JUDGE
KENT J. DAWSON